

TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

NOVEMBER 16, 2009

Study Session

City Manager Jon Crusey opened the Study Session at 7:00 p.m. on this date.

Roll Call

Council Members in attendance included: John E. Kessler, Dolores Gillis, Mayor Tim Evans, Bill Beagle, Vickie Blakey, President Patrick Hale, and George H. Lovett.

Others in attendance: Assistant City Manager Brad Vath, Assistant Utilities Director Christy Butera, City Attorney Joseph Moore, Finance Director Richard Drennen, Police Chief Tom Davidson, Joe Gibson, Bryan Budding, and Katie Black

Discussion

Nuisance Complaint

Mr. Vath reviewed with Council information regarding a Nuisance Complaint at the property at 427 W. Plum. He noted that a complaint was placed by a neighbor and that the City agreed with the complaint and sent out a certified letter notifying the residents to clean-up the area which was unclaimed. The City then sent the letter by a process server. At this point, some of the debris was cleaned-up and the property owners were given an additional month to finish the clean-up. Mr. Vath stated that, unfortunately, no progress was made and that the next step in the process was for the case to be turned over to the City Attorney for processing through the courts. If the owners do not clean up the property at this point, the City will hire someone to do the clean-up. Mrs. Blakey asked what the cost of clean-up would be. Mr. Vath replied that any costs would be assessed back to the property owner. Council agreed to proceed and this item will be on the December 7th agenda.

AMR/AMI

Mrs. Butera reviewed with Council the AMR/AMI project. She informed Council that if the city only handled water and sewer, it was believed that AMR would be enough; however, since we also handle electric, the staff recommends AMI. She added that she has talked with several municipal electric cities that only did AMR and they now have to go back and do AMI. Mrs. Butera reported that three companies submitted bids including Elster, Sensus and Intelagrid. Intelagrid has only been in business since 2008 and were therefore not interviewed as were the other two companies. She reported that she, Mr. Crusey, Mr. Vath, Superintendent Gary Garvey, Facilities and IT Supervisor Doug Arnold, Utility Billing Supervisor Stacie Brown, and Director of Utilities Mo Eichman spent half a day hearing presentations made by Elster and Sensus. Mr. Kessler asked why it was so expensive for AMI ready. Mrs. Butera replied that the cost of the meters is the big expense. Mrs. Blakey asked if anyone locally was using any of these companies. Mrs. Butera stated that the City of Troy is now installing using Sensus. Mrs. Butera reiterated that the biggest expense will be the meters, but that a 9 year payback is expected on the project because of the current inaccurate meter readings since the meters are so old noting that 70% of the water meters are older than 10 years old; 45% are older than 25 years. Mrs. Butera noted that she is already in discussion with these companies on ways to lower costs including having City staff do some of the installation. Once the numbers are finalized, this project will be brought to Council for an award.

Adjournment

The study session concluded at 7:32 p.m.

Council President Patrick H. Hale

Attest: _____
Cathy Ross, Clerk of Council

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

NOVEMBER 16, 2009

Roll Call

Council President Patrick Hale called to order the regular meeting of the Tipp City Council at 7:35 p.m. Roll call showed the following Councilmembers present: President Patrick Hale, Mayor Tim Evans, Dolores Gillis, Vickie Blakey, William Beagle, George H. Lovett, and John E. Kessler.

Others in attendance: Finance Director Richard Drennen, Assistant Utilities Director Christy Butera, Assistant City Manager Brad Vath, Fire Chief Steve Kessler, Police Chief Tom Davidson, City Attorney Joseph P. Moore, and Clerk of Council Cathy Ross.

Guests signing the register included: Katie Black, John Berbach, Rev. Gary Boggs, Steven Chaney, Bill Mikolajewski, Joe Gibson, Bryan Budding

Invocation and Pledge of Allegiance

Reverend Gary Boggs from the First Baptist Church delivered the invocation and President Hale led the Pledge of Allegiance.

Approval of Agenda Amendment

President Hale made a motion to amend the agenda to add item A under motions. Motion was seconded by Mr. Kessler and unanimously approved.

Approval

The amended agenda was approved on a motion by Mr. Beagle, seconded by Mrs. Gillis, and unanimously approved.

Adoption of Minutes

Mr. Kessler moved, seconded by Mrs. Gillis, to approve the minutes of the November 2, 2009 Pre-Meeting Study Session. The motion carried 6-0; President Hale abstained.

Mr. Kessler moved, seconded by Mr. Beagle, to approve the minutes of the November 2, 2009 meeting. The motion carried 6-0; President Hale abstained.

Presentations, Proclamations, and Awards

There were none.

Ordinance (Second Reading)

There were none.

Resolutions Resolution 40-09 2010-2014 CIP

A resolution adopting the 2010-2014 Capital Improvement Program for the City of Tipp City.

Clerk of Council Summary: City Council reviewed the proposed update to the City's five year Capital Improvement Program for 2010 through 2014, in an October 26, 2009 Workshop and a Study Session held on November 2, 2009.

City Manager Comments: This resolution adopts the 2010-2014

Capital Improvement Program for the City of Tipp City. Section 7.07(B) of the Charter allows "the Council by ordinance or resolution shall adopt the capital program with or without amendment after the public hearing". This plan was reviewed and recommended for approval by the Planning Board at its October 13, 2009 meeting. The plan was then submitted to Council on October 15th and Council conducted a study session for the purpose of reviewing the 5-Year CIP on October 26th. A subsequent Study Session was conducted on November 2nd to review proposed changes to the Plan arising from Council's October 26th meeting resulting in a reduction of expenditures from the Capital Improvement Reserve Fund of \$164,450 over the five-year period.

Mr. Lovett stated that there are still unfunded projects: asphalt overlay, Hartman reconstruction, Maple Hill Bridge, Dow and S. Third and that he believes we need to tackle some of these projects in 2010. Because deferrals continue to be made to street improvements, Mr. Lovett stated that he can't support the budget in its current form.

Mrs. Blakey stated that she won't be supporting the CIP for the first time since being on Council. She noted that she appreciated the fact that staff took a lot of time to make cuts as requested by Council, but that she has two areas of concern: the deferral of the 2.5 ton dump truck and the proposed utility center being funded by the electric fund. Mrs. Blakey stated that if the dump truck broke down during a winter storm and an ambulance needed to get through, another truck would not be available. For this reason, she believes that this falls under health, safety and welfare. As far as the proposed utility center is concerned, Mrs. Blakey noted that she is aware the Electric Fund is its own fund and it brings in a lot of money; however, the City is looking to install new meters, electric is going to go up in cost, and she does not want to see large increases going on in this fund. Mrs. Blake stated that she would rather have seen a plan using an existing building.

Mr. Kessler stated that he has some of the same concerns about the budget, but noted that some of the items mentioned are several years out into the budget. He approves of the proposed 2010 budget.

Mrs. Blakey stated she knows the cost of the utility center can be lowered, but has never seen the effort to try to get it down. Mr. Crusey stated that the City hasn't spent the money on a consultant to try to get the costs reduced because the City had not been authorized to move forward with the project.

Mr. Beagle agreed with Mrs. Blakey that a vacant building in town should be considered before building a new building. He will, however, vote to support the CIP. Mr. Beagle added that he hopes that the \$417,000 easement monies will be devoted to street projects.

Mrs. Gillis stated although only \$164,000 has been cut over the 5 year plan, more than \$200,000 has been cut from the budget for 2010 and 2011. She also hopes that the \$417,000 will be used for street projects. Mrs. Gillis noted that another 5 year plan will be presented next year.

President Hale agreed that the Service Center will be reviewed in future Capital Improvement Plans and that he is not in favor of spending 3.2

million on a new service center. President Hale added that he would like to be cautious and not spend the \$417,000 for road improvements if it means we will have a budget deficit.

There being no further discussion, Mr. Kessler sponsored this resolution and moved for its adoption. Motion was seconded by Mrs. Gillis and approved 4-3. Mrs. Blakey, Mayor Evans, and Mr. Lovett voted no. Resolution 40-09 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 41-09
Hydroelectric Project

A resolution to approve the form and authorize the execution of power sales contracts with American Municipal Power, Inc. and taking other actions in connection therewith regarding Meldahl and Greenup Hydroelectric Project participation.

Clerk of Council Summary: This resolution would request 270kW of hydroelectric power from the Greenup and Meldahl facilities and is recommended by staff.

City Manager Summary: The adoption of this resolution authorizes the City Manager to acquire, on behalf of the City, shares in the Meldahl and Greenup hydroelectric projects and execute all documents necessary to become participants in said projects. The City's request is for 270kW that may be prorated if the project is over subscribed. However, there is also a 25% step-up if the project is undersubscribed.

There being no further discussion, Mr. Lovett sponsored this resolution and moved for its adoption. Motion was seconded by Mr. Kessler and unanimously approved. Resolution 41-09 was declared passed and President Hale affixed his signature in witness thereto.

Ordinance First Reading

The following ordinances were presented to City Council for adoption.

Purchase of Property

Mr. Beagle sponsored an ordinance authorizing the City Manager to purchase certain real property (+/- 117.7 acres) in unincorporated Monroe Township, Miami County, Ohio and declared an emergency.

Clerk of Council Summary: The total cost of this project is \$520,810 of which the City's cost is less than 6% (\$25,000) due to grants and donations.

City Manager Comments: This ordinance authorizes the City Manager to finalize the purchase of the +/- 117 acre parcel located just east of the well fields. The total cost of \$520,810 is being financed by a \$385,399.40 grant from the Clean Ohio Fund, \$90,400 from a private company (remediation requirement from OEPA), \$15,010.06 in cash and in-kind services from the Miami Conservancy District, and \$25,000 in a combination of cash, in-kind services and easement donation from the City of Tipp City. Tipp City's share of this project is less than 6%. Since closing on this property must take place prior to December 31st staff recommends that Council adopt this ordinance as an Emergency at 2nd reading on December 7th.

There being no further discussion, Mr. Beagle sponsored this ordinance and moved for its adoption and declaring an emergency.

Supplemental Appropriations

Mrs. Gillis sponsored an ordinance supplementing the appropriations in Ordinance 48-08.

Clerk of Council Summary: This ordinance authorizes an increase of appropriations for various funds of the City to supplement the 2009 fiscal year budget in the total amount of \$495,000.

City Manager Comments: The adoption of this ordinance would increase 2009 appropriations in the amount of \$495,000 as follows:

+ \$35,000 General Fund – To account for additional transfers in the amount of \$20,000 to the Swimming Pool Fund and \$15,000 to the Parks Capital Improvement Fund to offset lower than anticipated income tax revenue related to the 0.25% Parks levy.

+ \$460,000 Electric Fund - Due to higher than anticipated purchase of power costs. This increase is offset by revenue from the City's sale of electric power.

Reducing Appropriations

Mrs. Blakey sponsored an ordinance reducing the appropriations in Ordinance 48-08.

Clerk of Council Summary: This ordinance authorizes the necessary reduction in appropriations of \$1,751,300.

City Manager Comments: The adoption of this resolution would decrease 2009 appropriations in the amount of \$1,571,300 as follows:

- \$12,000 Swimming Pool Fund – Due to lower than budgeted expenditures.

- \$59,300 Parks Capital Improvement Fund – Due to lower than budgeted project costs for the Kyle Park Bike Path project that was budgeted at \$150,000 and completed for \$90,700.

- \$1,500,000 Utility AMR Project Fund – Proposals for the Advanced Metering Infrastructure/Automatic Meter Reading project were received on October 21 and are currently under review. The City has been awarded a \$600,000 OPWC loan for this project and therefore cannot sign any contracts until after January 1, 2010.

Chapter 37 Amendment

Mr. Lovett sponsored an ordinance amending Chapter 37 including Appendix Exhibit "A" of the Codified Ordinances of the City of Tipp City for all City employees not covered by a collective bargaining agreement.

Clerk of Council Summary: This revision to Chapter 37 allows the Superintendent and Supervisor of the NAWA Treatment Plant to receive overtime and on-call pay.

City Manager Comments: In March of 2008, the City signed a Memorandum of Understanding (MOU) with AFSCME regarding several contract issues affecting the NAWA plant operations. City Council was consulted regarding the proposed changes. One change allowed the City to have Chapter 37 employees (Water/Wastewater Superintendent or Water Treatment Plant Supervisor) perform the weekly on-call routine. However, during the transition to a new City Manager this change was never codified into Chapter 37. Staffing at NAWA is comprised of one supervisor and two operators. Previously, the two operators were on-call every other week from 3:30 p.m. to 7:00 a.m. with two-hour shifts on Saturday and Sunday. With the addition of the Superintendent or Supervisor into the call-in rotation, employees are now on-call every three weeks instead of every other week. This ordinance allows the Superintendent or Supervisor (salaried positions) to earn on-call time and overtime while serving in an on-call status.

Motions

Success Circle Property
Donation

Mrs. Blakey made a motion, seconded by Mrs. Gillis to approve the value of the partial property donation for the Water Tower property on Success Circle being Inlot 3738. Motion passed 7-0.

Kinna Drive Property
Donation

President Hale made a motion to approve the value of the property donation for the Kinna Drive Right-of-Way. Motion was seconded by Mr. Beagle and unanimously approved.

Prairie Maintenance

Mr. Kessler made a motion, seconded by Mrs. Blakey and unanimously approved to hire seasonal employees for prairie maintenance. Mr. Kessler asked that the City consider using youth groups such as the boy scouts to do some of this maintenance. Mrs. Butera explained that the use of chain saws would be necessary and Mr. Kessler stated that Boy Scouts are not permitted to use chain saws, only hatchets and hand saws.

Town & Country Lease

Mr. Lovett made a motion to authorize the City Manager to negotiate and enter into a lease with William E. Mikolajewski, Jr., the owner of the real property located at 115 E. Dow St., where Town and Country Market, Inc. operates. The lease shall be recorded with the Miami County Recorder and shall be for the use as public parking, of a portion of the parking lot used at the Dow St. property. A memorandum of lease shall be sufficient for these purposes. The City Manager is further authorized through this Motion to pay fifteen hundred dollars (\$1500.00) annually for the use of the lot to be credited against the outstanding municipal utility bills of Town and Country Market, Inc. and to enter into a lease for a seven (7) year period. Mrs. Blakey asked if the Electric Department would be taking a hit with the passage of this motion. Mr. Drennen explained that water and sewer would also be affected, but that the majority of the monies would come from the electric fund. Mr. Lovett stated that the rationale in entering into this agreement is the additional parking for the downtown area the City will receive and that the lease will be recorded to protect the City should the property be purchased by someone else. Mrs. Blakey asked if the owner was agreeable and was Mr. Crusey noted that he was. Mrs. Gillis stated she is a member of the Eastern Star and there have been times when people have said they came to Tipp to go to a meeting but were unable to find a parking space. President Hale stated he believes it is an excellent idea but questioned whether we would be setting a precedent. Mr. Moore stated it would not set a precedent. Mayor Evans stated that we have opportunity to benefit citizens and help a local businessman and he will be

supporting this motion. Motion was seconded by Mr. Kessler and approved 7-0.

Citizen Comments

There were none.

**Councilmember
Comments**

Mayor Evans noted that there was a great turnout at Yuletide Gathering and encouraged residents to support the local merchants during the holidays.

Mrs. Gillis stated Bucher's Beat was in Tipp City for the Yuletide Gathering and that she attended a wonderful ceremony at the Veteran's Memorial with the school kids. She wished everyone a Happy Thanksgiving.

Mr. Beagle reported that 5th graders from LT Ball participated in the DARE graduation. Mr. Beagle and Mrs. Gillis attended the Joint Economic Development Committee meeting where they heard a program by City Planner Matt Spring and received copies of the new Downtown Visitors Guide which he shared with other Council members. Business of the Year and Small Business of the Year nominations are still being sought and must be turned in to the City Manager's Office by November 20th.

Mrs. Blakey thanked everyone for coming out to the Town Hall meeting and stated that she has missed many of her children's functions through the years due to Council but chose to miss the Town Hall so that she could attend her daughter's Senior Sports Banquet.

Mr. Kessler reported that the Operating Budget would be reviewed on Monday, November 23rd at 3 p.m. and was open to the public.

President Hale thanked staff for all the work on the Town Hall meeting and stated that he hopes more people come to meetings. President Hale also reminded residents to attend the Operating Budget Workshop on the 23rd at 3 p.m. and noted that the Winter's Yuletide Gathering was great and wished everyone a Happy Thanksgiving. He asked that citizens consider serving on a Board and reported that Board openings can be seen by visiting www.tippcityohio.gov or www.tippnews.com.

City Manager Comments

Mr. Crusey reported that he is working on getting budgets done and hopes to have them delivered by Wednesday.

Mrs. Blakey asked if donations could be made to the EMS and Fire by writing a check. Mr. Drennen will check to see if they are set up for those kinds of donations and will get back with Mrs. Blakey.

Adjournment

The meeting was adjourned at 8:13 p.m. on a motion by Mr. Lovett, seconded by Mr. Kessler and unanimously approved.

Patrick Hale, President

Attest: _____
Cathy Ross, Clerk of Council

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